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12 *Attorneys for Defendant Las Vegas Valley Water District*

13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 LINDA BUNDY;

16 Case No. 2:17-cv-02936-RFB-(PAL)

17 Plaintiff,

18 v.

19 LAS VEGAS VALLEY WATER DISTRICT;  
20 DOE INDIVIDUALS I through X, inclusive;  
21 and ROE CORPORATIONS I through X,  
22 inclusive,

23 Defendant.

24 **STIPULATION AND ORDER TO EXTEND DEADLINE TO FILE**

25 **MOTIONS FOR SUMMARY JUDGMENT ONLY**

26 **(First Request)**

27 Plaintiff Linda Bundy and Defendant Las Vegas Valley Water District (the “District”) hereby  
28 submit the following Stipulation to Extend Deadline to File Motions for Summary Judgment Only.  
This is the first request to extend the dispositive motion cut-off date, but the third request to extend a  
deadline in the scheduling order.

29 The present and proposed deadlines are set forth in Section D below. The extension is  
30 necessary to accommodate the court reporter’s delay in preparation of deposition transcripts and the  
31 upcoming holidays.

1      **A. DISCOVERY COMPLETED TO DATE**

2      The Rule 26(f) conference was held on March 26, 2018. Following the Rule 26(f)  
3      conference, the proposed Discovery Plan and Scheduling Order was filed on April 16, 2018 and  
4      approved by this Court that same day. After the court's approval of the Discovery Plan and  
5      Scheduling Order, the parties exchanged initial disclosures.

6      On April 17, 2018, the District propounded interrogatories and requests for production on  
7      Plaintiff. Plaintiff served her written responses to interrogatories on June 4, 2018 and written  
8      responses to requests for production on June 6, 2018. Based upon those responses, LVVWD served  
9      third-party discovery requests (through subpoenas and authorizations) to Plaintiff's employers and  
10     medical providers and the IRS for Plaintiff's employment, medical, and tax records. To date, the  
11     District has served ten supplements to its initial disclosures with these and other documents. The  
12     District disclosed two experts—Rich Wright and John Hagopian—on July 2, 2018.

13     On August 28, 2018, Plaintiff propounded her first set of Interrogatories and Requests for  
14     Production on the District, to which the District responded on September 28, 2018.

15     To date, Plaintiff has deposed two of the District Rule 30(b)(6) witnesses, Mary Madden and  
16     Jerry Keating. The District has deposed Plaintiff.

17      **B. DISCOVERY THAT REMAINS TO BE COMPLETED**

18      Discovery has closed. The purpose behind this stipulation is to extend the dispositive motion  
19     cut-off date by three weeks.

20      **C. REASONS WHY DEADLINE WAS NOT SATISFIED/GOOD CAUSE FOR  
21     REQUEST**

22      The deadline for filing dispositive motions is November 28, 2018. Discovery closed on  
23     October 29, 2018. On November 13, 2018, less than 21 days before the dispositive motion deadline,  
24     the reporter who administered and recorded the deposition of Jerry Keating reported to the parties  
25     that she misplaced the deposition exhibits. The parties provided replacement exhibits on November  
26     14, 2018. The lost exhibits prevented the reporter from completing the transcript and providing the  
27     transcript to the parties for their use in support of dispositive motions. The parties are awaiting the  
28

1 finalization of the deposition transcripts and need additional time to assess and prepare dispositive  
2 motions. Additionally, with the upcoming holidays, the parties anticipate some difficulty marshalling  
3 evidence from various witnesses to support dispositive motions. As a result, the parties could not  
4 request the extension more than 21 days before the expiration of the dispositive motion deadline, and  
5 more time is requested to accommodate the filing of dispositive motions.

6 **D. PROPOSED DISCOVERY SCHEDULE**

7 Pursuant to LR 26-4, the parties propose to extend the current deadlines and jointly submit  
8 the following to the Court:

- 9 1. **Discovery Cut-Off Date:** Discovery is closed. The parties do not seek an extension of  
10 this deadline.
- 11 2. **Deadline for Amending Pleadings or Adding Parties:** The deadline for amending  
12 pleadings has passed. The parties do not seek an extension of that deadline.
- 13 3. **Rule 26(a)(2) Disclosures:** Discovery is closed. The parties do not seek an extension of  
14 this deadline.
- 15 4. **Dispositive Motions.** The current deadline for filing dispositive motions is November 26,  
16 2018. The parties propose to extend such deadline by three weeks, which will make the  
17 new deadline for filing dispositive motions December 17, 2018.
- 18 5. **Interim Status Report:** The deadline to file the Interim Status Report was July 2, 2018.  
19 Since that date has now passed, the parties do not seek an extension of the deadline to file  
20 the Interim Status Report.
- 21 6. **Pre-Trial Order.** The current deadline to file the Joint Pretrial Order is November 28,  
22 2018, unless otherwise suspended under LR 26-1(b)(5). The parties propose to extend  
23 this deadline by 21 days, which will make December 19, 2018 the new deadline to file  
24 the Joint Pretrial order. In the event dispositive motions are filed, the deadline for filing  
25 the joint pre-trial order shall be suspended until 30 days after the decision on the  
26 dispositive motions or until further order of the court.

27 //

1 IT IS SO STIPULATED.

2 Dated this 16<sup>th</sup> day of November, 2018.

3 CALLISTER & ASSOCIATES

4

5 /s/ Matthew Q. Callister

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Dated this 16<sup>th</sup> day of November, 2018.

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15 District*

16 IT IS SO ORDERED.



17 RICHARD F. BOULWARE, II  
18 United States District Judge  
19 DATED: November 20, 2018.

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